UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,887	11/08/2001	Jeong-Kyu Moon	678-665 (9721)	5279

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DILWORTH & BARRESE, LLP
333 EARLE OVINGTON BLVD.
SUITE 702
UNIONDALE, NY 11553

EXAMINER
GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
2614	

MAIL DATE	DELIVERY MODE
05/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)
Office Action Summary		10/008,887	MOON, JEONG-KYU
		Examiner	Art Unit
		Gerald Gauthier	2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _08 February 2007_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-11_ is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-11_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   Paper No(s)/Mail Date. _____ .
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)   5)☐ Notice of Informal Patent Application (PTO-152)
   Paper No(s)/Mail Date _____ .   6)☐ Other: _____ .

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

February 8, 2007 has been entered.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

   1.   Determining the scope and contents of the prior art.
   2.   Ascertaining the differences between the prior art and the claims at issue.
   3.   Resolving the level of ordinary skill in the pertinent art.
   4.   Considering objective evidence present in the application indicating
           obviousness or nonobviousness.

4.   **Claim(s) 1-7 and 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Whalen et al. (US 5,948,066) in view of Anton, Jr. et al. (US 7,185,360 B1).

Regarding **claim(s) 1**, Whalen discloses a network access control method in a mobile communication terminal with a built-in web browser (FIG. 1 and column 1, lines 6-9), comprising the steps of:

(a)   upon receipt of an access request from a user, accessing a web server through a network (FIG. 1 and column 3, lines 38-67) [The mobile user opens a URL, the browser 12 submits an HTTP request to the mobile client 10 which in turn accesses the fixed server over the narrow-band communication link];

(b)   displaying a web document from the web server (FIG. 5, 6 and column 4, lines 33-36) [The HTML page document is made available to the browser 12 to be properly display to the mobile user];

(c)   upon receipt of an operation command from the user, while displaying the web document, performing an operation according to the operation command (FIG. 2 and column 7, lines 16-28) [The mobile user can quickly access the general information and has the opportunity to cancel the request or submit a different request before the completion of the page to be completed by the mobile client 10]; and

(e)   repeating step (a-c) (FIG. 2 and column 7, lines 16-28) [The general information of the mobile client 10 gives the mobile user an opportunity to submit a different request thereby repeating steps (a-c)].

Whalen fails to disclose temporarily releasing an access to the web server, upon failure to receive any web related operation command from the user within a predetermined time after displaying the web document.

However, Anton teaches temporarily releasing access to the web server, upon failure to receive any web related operation command from the user within a predetermined time after displaying the web document (column 10, lines 37-45).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Whalen using the teaching of terminating of internet access as taught by Anton.

This modification of the invention would offer the capability of temporarily releasing an access to the network after a predetermined period of time so that the system would authenticate the user.

Regarding **claim(s) 2**, Anton teaches a method for determining if the web related operation command has been entered by the user (column 10, lines 37-45);

determining whether the predetermined time has elapsed (abstract); and

upon failure to receive the web related operation command from the user before a lapse of the predetermined time, temporarily releasing the access to the web server to enable the mobile communication terminal to receive an incoming call (column 10, lines 37-45).

Regarding **claim(s) 3**, Whalen in combination with Anton disclose all the limitations of **claim(s) 3** as stated in **claim(s)1**'s rejection and furthermore Whalen discloses upon receipt of the web related operation command from the user, repeating step (a) (column 7, lines 16-28).

Regarding **claim(s) 4**, Anton teaches releasing an access to the network upon receipt of an access end request from the user in step (d) (column 10, lines 37-45).

Regarding **claim(s) 5**, Whalen discloses wherein the predetermined time is set by the user (column 3, lines 38-67).

Regarding **claim(s) 6**, Whalen discloses wherein the web related operation command is issued when the user inputs a URL, clicks a hyperlink on the displayed web document, or refreshes a displayed web document (column 3, lines 38-67).

Regarding **claim(s) 7**, Whalen discloses wherein the network is the Internet (column 2, lines 56-67).

Regarding **claim(s) 10**, Anton teaches a method, wherein step (e) comprises the step of reaccessing the web server if there are any web commands from the user when access to the web server has been temporarily released while displaying the web document (column 10, lines 37-45).

5.   **Claim(s) 8, 9 and 11** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Whalen in view of Anton and in further view of Phillips et al. (US 6,763,015 B1).

Regarding **claim(s) 8**, Whalen in combination with Anton disclose a network

access control method in a mobile communication terminal (FIG. 1 and column 1, lines

6-9), the method comprising the steps of:

(a) establishing a network access when a user command requesting

establishment of the network access is received (FIG. 1 and column 3, lines 38-67) [The

mobile user opens a URL, the browser 12 submits an HTTP request to the mobile client

10 which in turn accesses the fixed server over the narrow-band communication link];

(b) performing a plurality of operations when a user command corresponding to

one of a plurality of operations is received (FIG. 5, 6 and column 4, lines 33-36) [The

HTML page document is made available to the browser 12 to be properly display to the

mobile user];

(c) determining if at least one user commands requesting performance of any of

a plurality of web related operations were input within a predetermined time after a

predetermined action (FIG. 2 and column 7, lines 16-28) [The mobile user can quickly

access the general information and has the opportunity to cancel the request or submit

a different request before the completion of the page to be completed by the mobile

client 10]; and

(e) repeating steps (a-c) (FIG. 2 and column 7, lines 16-28) [The general information of the mobile client 10 gives the mobile user an opportunity to submit a different request thereby repeating steps (a-c)].

Whalen fails to disclose temporarily releasing an access to the web server, upon failure to receive any web related operation command from the user within a predetermined time after displaying the web document.

However, Anton teaches temporarily terminating the network access if the determination is negative (column 10, lines 37-45).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Whalen using the teaching of terminating of internet access as taught by Anton.

This modification of the invention would offer the capability of temporarily releasing an access to the network after a predetermined period of time so that the system would authenticate the user.

Whalen in combination with Anton fails to disclose the terminal including a controller, a memory, an input and a display means, an audio and a video processor, a signal transmitter, a receiver and a duplexer, and having a built-in web browser.

However, Phillips teaches the terminal including a controller (42 on FIG. 2), a memory (94 on FIG. 3), an input and a display means (102 on FIG. 3), an audio and a video processor (92 on FIG. 3), a signal transmitter (62 on FIG. 2), a receiver and a duplexer (64 on FIG. 2).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify Whalen using the mobile terminal as taught by Phillips.

This modification of the invention would offer the capability of using the mobile terminal of Phillips so that the user would make multiple calls in the network.

Regarding **claim(s) 9**, Whalen discloses wherein the network is the Internet (column 2, lines 56-67).

Regarding **claim(s) 11**, Anton teaches a method, wherein step (e) comprises the step of reaccessing the network if there are any commands from the user when access to a web server has been temporarily released while displaying a document (column 10, lines 37-45).
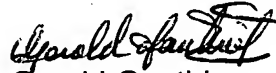
Response to Arguments

6.   Applicant's arguments with respect to **claim(s) 1-11** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gerald Gauthier
Primary Examiner
Art Unit 2614

GG
March 15, 2007